



PATENT

Atty. Docket No. 2500 Div2Con2Div3Con3  
203-3515 Div2Con2Div3Con3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Peter M. Bonutti EXAMINER: Michael H. Thaler  
SERIAL NO.: 10/729,668 GROUP: Art Unit 3731  
FILED: December 5, 2003 DATED: November 21, 2006  
FOR: FLUID OPERATED RETRACTORS

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) continuing duty of disclosure, it is respectfully requested that the disclosures cited in the annexed PTO/SB/08a and PTO/SB/08b be considered by the Examiner and made of record in the above-identified application.

Copies of the U.S. patent documents are not provided in accordance with the waiver of that requirement under 37 C.F.R. §1.98. Copies of the foreign references can be found in parent application Serial No. 07/731,534, filed July 17, 1991, now U.S. Patent No. 5,163,949.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 21, 2006.

Dated: November 21, 2006

Dana A. Brussel

A copy of the Spanish non-patent reference listed on the attached Form PTO/SB/08b is attached, along with an English translation of same for the Examiner's convenience.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.

The claims of this application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,

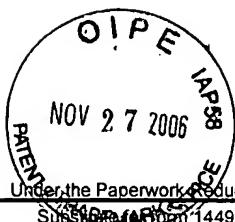
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SUSPENDED FORM 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

### Complete if Known

Application Number	10/729,668
Filing Date	December 5, 2003
First Named Inventor	Peter M. Bonutti
Art Unit	3731
Examiner Name	Michael H. Thaler
Attorney Docket Number	2500 Div2 Con2 Div3 Con3 (203-3515 Div2 Con2 Div3 Con3)

Sheet 1

of 2

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-1,213,005	01/16/1917	Pillsbury	
		US-1,725,670	08/20/1929	Novack	
		US-3,081,773	03/19/1963	Isaac	
		US-3,620,218	11/16/1971	Schmitt et al.	
		US-3,635,223	01/18/1972	Klieman	
		US-3,841,304	10/15/1974	Jones	
		US-3,863,639	02/04/1975	Kleaveland	
		US-4,263,900	04/28/1981	Nicholson	
		US-4,299,227	11/10/1981	Lincoff	
		US-4,357,940	11/09/1982	Muller	
		US-4,484,579	11/27/1984	Meno et al.	
		US-4,630,609	12/23/1986	Chin	
		US-4,714,074	12/22/1987	Rey, et al.	
		US-4,781,681	11/01/1988	Sharrow et al.	
		US-4,784,133	11/15/1988	Mackin	
		US-4,793,359	12/27/1988	Sharrow	
		US-4,800,901	01/31/1989	Rosenberg	
		US-4,862,874	09/05/1989	Kellner	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		DE 605255	11/1933	Herboth		
		FR 325846	02/1903			

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 1

of 2

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PTO/SB/08b (08-03)

Approved for use through 06/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet 1

1

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## NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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